

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

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IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

CHARLTON WILSON,)
Petitioner,)
v.) CASE NO. CV413-269
WARDEN MARTY ALLEN, Autry)
State Prison,)
Respondent.)

O R D E R

Before the Court is Petitioner Charlton Wilson's Application for a Certificate of Appealability. (Doc. 19.) The Magistrate Judge's July 1, 2014 Report and Recommendation (Doc. 11), which was adopted by this Court (Doc. 16), recommended that no Certificate of Appealability should issue in this case and that, as a result, any request for leave to appeal in forma pauperis should be dismissed as moot (Doc. 11 at 10-11). Therefore, this Court construes Petitioner's application as seeking reconsideration of this Court's prior order adopting that portion of the report and recommendation.

Pursuant to 28 U.S.C. § 2253(c), an appeal may not be taken in this matter unless the court issues a Certificate of Appealability. This certificate may issue only if Petitioner has made a substantial showing of the denial of

a constitutional right. Slack v. McDaniel, 529 U.S. 473, 484 (2000). The Court has carefully considered Petitioner's case and finds that he cannot meet the above standard. Therefore, the Court sees no reason to disturb its prior order. Accordingly, Petitioner's application (Doc. 19) is DENIED.

SO ORDERED this 29th day of September 2014.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA